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In re application of:

Michael B. Zemel

Appl. No. 10/017,568

**Confirmation No. 9941**

Filed: December 14, 2001

For : MATERIALS AND METHODS FOR  
THE TREATMENT OR PREVENTION  
OF OBESITY

Art Unit : 1617

Examiner: WEBMAN, Edward J.

Atty. Docket No. 31894-192402

Customer No.

**26694**

PATENT TRADEMARK OFFICE

**AMENDMENT AND RESPONSE**

Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action mailed December 9, 2003 (paper # 9), please amend the above-identified application as follows:

**Amendments to the Specification** are reflected on page 2 of this paper.

**Amendments to the Claims** are reflected in the Listing of Claims, which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.

04/02/2004 SSESHE1 00000095 10017568

01 FC:1202

324.00 0P

# **FREE TRANSMITTAL** **for FY 2004**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT (\$)** 614

## **Complete if Known**

Application Number 10/017,568  
Filing Date December 14, 2001  
First Named Inventor Michael B. ZEMEL et al.  
Examiner Name Webman, Edward J.  
Group / Art Unit 1617  
Attorney Docket No. 31894-192402

## **METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 22-0261

Deposit Account Name Venable

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## **FEE CALCULATION**

### **1. BASIC FILING FEE**

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)**

(\$ 0)

### **2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
52	-34 ** = 18	X 18 = 324	
Independent Claims 4	-6 ** = 0	X 86 = 0	
Multiple Dependent		X = 0	

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2204	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$ 324)

\*\*or number previously paid, if greater; For Reissues, see above

## **3. ADDITIONAL FEES**

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2215	55	Extension for reply within first month	110
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2010	2255	1005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	25403	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 290)

## **SUBMITTED BY**

Name (Print/Type) Michael A. Gollin Registration No. Attorney/Agent 31,957 Telephone (202) 344-4072  
Signature [Signature] Date April 1, 2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SEND TO: Commissioner for Patents, Mail Stop Patent Application, Alexandria, VA 22313-1450.

PC Docs No. DC2#533324

**VENABLE**  
ATTORNEYS AT LAW

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